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Application. No. 10/804,791

Response to Office Action mailed December 28, 2005

REMARKS

Responsive to the Office Action mailed December 28, 2005, Applicants provide the following. Claim 27 has been amended without adding new matter. Thirty-two (32) claims remain pending in the application: Claims 1-32. Reconsideration of claims 1-32 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §103

1. Claims 1, 5, 7, 13-14 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 (Anzai et al.).

With respect to claim 1, the present Office Action acknowledges that Anzai et al. do not teach a coupling portion adapted to removably couple the cover portion to the electronic device, as recited in claim 1. Nevertheless, the present Office Action suggests that it would have been obvious to so adapt the coupling portion "in order to aid in quick repair and/or replacement of the cover [portion]." Accordingly, the present rejection of claim 1 relies upon factual assertions (i.e., that if hinge mechanisms 22 were adapted to removably couple the touch panel section 40 to notebook PC 10, then this would aid in quick repair and/or replacement of touch panel section 40) that are not supported by documentary evidence. Thus, while not explicitly stated, the present Office Action relies upon Official Notice to reject claim 1.

Pursuant to M.P.E.P. § 2144.03(C), Applicant hereby traverses and challenges the aforementioned factual assertion as not being properly noticed. Specifically, it would not be considered common knowledge, or be well-known in the

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art, to adapt the hinge mechanism 22 to removably couple the touch panel section 40 to the notebook PC 10 because the hinge mechanism 22 does not couple the touch panel section 40 to the notebook PC 10. It appears that the hinge mechanism 50 actually couples the touch panel section 40 to the notebook PC 10. As acknowledged, Anzai et al. does not teach or suggest that the hinge mechanism 50 provides a removable coupling. No evidence is provided to suggest that this hinge mechanism 50 removably couples the touch panel section 40 to the notebook PC 10 regardless of the benefits of doing so. Having traversed the presently noticed factual assertions, proper documentary evidence must now be provided if the rejection is to be maintained. Absent the requisite documentary evidence, Applicant respectfully requests withdrawal of the present rejection of claim 1, and claims 5, 7, 13, and 14 which depend therefrom.

2. Claims 2-4 stand rejected under 35 U.S.C. § 103(a), as being allegedly unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 5,204,160 (Rouser).

Claims 2-4 depend from claim 1. As shown above, claim 1 is not rendered obvious by Anzai et al. Rouser does not add any further teaching in combination with Anzai et al. that renders claim 1 obvious. Therefore, Applicant submits that the proposed combination does not render claims 2-4 obvious; thus, it is submitted that the rejection is overcome and should be withdrawn.

3. Claims 8-11 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 6,185,096 B1 (Helot et al.).

Claims 8-11 variously depend from claim 1. As shown above, claim 1 is not rendered obvious by Anzai et al. Helot et al. does not add any further teaching in combination with Anzai et al. that renders claim 1 obvious. Therefore, Applicant submits that the proposed combination does not render claims 8-11 obvious. Absent

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the requisite documentary evidence necessary to support the rejection of claim 1, Applicant respectfully requests withdrawal of the present rejection of claims 8-11.

Further, with respect to claim 8, the present Office Action asserts that FIGS. 5 and 7 of Helot et al. teach "a post coupled to a cover portion and a piece adapted to receive a portion of the post..., the piece further adapted to removably and rigidly couple [to] an electronic device (10)." (Office Action, page 4, paragraph 3). Applicant respectfully disagrees.

At column 4, lines 1-8, Helot et al. describes FIG. 5 as illustrating a hinge mechanism 36 that includes "a plastic housing 35 in which is preferably housed a plastic cylinder 34 with a metal rod 38 therein." The hinge mechanism 36 is illustrated in FIG. 2 as comprised within an adjustable height docking station 30 to which a mobile computing device 10 can be mounted. (see Helot et al., column 3, lines 14-28) As shown in FIG. 2 of Helot et al., the hinge mechanisms 36 simply couple a stability platform 33 to an adjustment arm 40 and the adjustment arm 40 to a receiving tray 51. Helot et al., however, is silent as to any teaching or suggestion that any hinge mechanism 36, or any component thereof, is adapted to removably couple to any structure, let alone the electronic device 10 as the present Office Action asserts.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. § 2143.03. Applicant respectfully submits that neither Anzai et al. nor Helot et al. teach or suggest "a post coupled to the cover portion; and a piece adapted to receive a portion of the post..., the piece further adapted to removably and rigidly couple to the electronic device." For at least this additional reason, claim 8 is not taught or suggested by Anzai et al. or Helot et al. Accordingly, Applicant respectfully submits that claim 8 is not rendered *prima facie* obvious by Anzai et al. in view of Helot et al. and submits that the rejection is overcome and should be withdrawn.

4. Claims 15-18 and 20 stand rejected under 35 U.S.C. § 103(a), as

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being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 5,204,160 (Rouser).

With respect to claim 15, the present Office Action relies upon Official Notice as similarly relied upon in the rejection of claim 1. Accordingly, Applicant's arguments presented above with respect to the rejection of claim 1 are equally applicable to the present rejection of claim 15. Absent the requisite documentary evidence, Applicant respectfully requests withdrawal of the present rejection of claim 15, and claims 16-18 and 20 which depend therefrom.

5. Claims 21-24 and 26 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 6,185,096 B1 (Helot et al.).

Preliminarily, Applicant notes that claims 21-24 and 26 depend from claim 15 and that claim 15 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Anzai et al. in view of Rouser. Accordingly, Applicant hereby assumes that claims 21-24 and 26 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Anzai et al. in view of Rouser and further in view of Helot et al.

Claim 21-24 and 26 variously depend from claim 15. As shown above, claim 15 is not rendered obvious by Anzai et al. in view of Rouser. Helot et al. does not add any further teaching which, when combined with Anzai et al. in view of Rouser, renders claim 15 obvious. Therefore, Applicant submits that the proposed combination does not render claims 21-24 and 26 obvious. Absent the requisite documentary evidence necessary to support the rejection of claim 15, Applicant respectfully requests withdrawal of the present rejection of claims 21-24 and 26.

Further, with respect to claim 21, the present Office Action relies upon factual assertions similar to those made with respect to the rejection of claim 8. Accordingly, Applicant's arguments presented above with respect to the rejection of claim 8 are equally applicable to the present rejection of claim 21.

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6. Claims 27-32 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 5,204,160 (Rouser), and U.S. Patent No. 5,971,548 (Hung).

Claim 27 has been amended to recite "removably coupling a cover to a portion of the electronic device...", such subject matter being similar to subject matter that is acknowledged in the present Office Action as not being taught by Anzai et al. Accordingly, Applicant's arguments presented above with respect to the rejections of claims 1 and 15 are equally applicable to the subject matter presently recited in claim 27. Moreover, neither Rouser nor Hung not add any further teaching which, when combined with Anzai et al., renders claim 27, as presently amended, obvious. For at least these reasons, Applicant submits that the proposed combination does not render claim 27, as presently amended, obvious.

Further, with respect claim 31, the present Office Action asserts that Hung teaches a clip 22 and that it would have been obvious to "utilize the clip of Hung in the invention of Rouser and Anzai et al., in order to provide a detachable cover that can be easily and rapidly adjusted in position (see, col. 1, lines 31-40 of Hung)." Applicant respectfully disagrees.

Hung does not teach a clip. Specifically, the structure designated at reference numeral 22 is an "arm." (see Hung, column 2, lines 29-30). As clearly shown in FIG. 2C of Hung, the arm 22 is provided with a soft pad 23 at the bottom thereof and a downwardly depending screw 21 at the corner thereof. (see Hung, column 2, lines 58-60) Hung, however, is silent as to any teaching or suggestion that the structure designated at reference numeral 22, or any structure identified therein, is a clip. Accordingly, Applicant respectfully submits that neither Anzai et al., Rouser nor Hung teach or suggest "coupling a cover to a portion of the electronic device, wherein the coupling step comprises clipping the cover to the portion of the electronic device." Because the aforementioned subject matter of claim 31 (presently incorporated into

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claim 27) is not taught or suggested by Anzai et al., Rouser, or Hung, Applicant respectfully submits that claim 27 is not rendered *prima facie* obvious by Anzai et al. in view of Rouser and Helot et al.

7. Claims 6 and 19 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 5,204,160 (Rouser), and U.S. Patent No. 5,982,617 (Haley et al.).

Claims 6 and 19 depend from claims 1 and 15, respectively. As shown above, claims 1 and 15 are not rendered obvious by Anzai et al. or Anzai et al. in view of Rouser. Haley et al. does not add any further teaching which, when joined with Anzai et al. or Anzai et al. in view of Rouser, renders claims 1 and 15 obvious. Therefore, Applicant submits that the proposed combination does not render claims 6 and 19 obvious; thus, it is submitted that the rejection is overcome and should be withdrawn.

8. Claims 12 and 25 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,259,597 B1 (Anzai et al.) in view of U.S. Patent No. 5,204,160 (Rouser), and U.S. Patent No. 5,971,548 (Hung).

Claims 12 and 25 depend from claims 1 and 15, respectively. As shown above, 1 and 15 are not rendered obvious by Anzai et al. or Anzai et al. in view of Rouser. Hung does not add any further teaching which, when joined with Anzai et al. or Anzai et al. in view of Rouser, renders claims 1 and 15 obvious. Therefore, Applicant submits that the proposed combination does not render claims 12 and 25 obvious; thus, it is submitted that the rejection is overcome and should be withdrawn.

Further, and as shown above, Hung does not teach a clip. Accordingly, Applicant respectfully submits that the combination of Anzai et al. and Hung (or the combination of Anzai et al., Rouser, and Hung) fails to teach or suggest "a clip removably coupling the cover portion proximate to the display screen when the cover

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portion is in the second position" as recited in claim 12 and as similarly recited in claim 25. Because the subject matter of claims 12 or 25 is not taught or suggested by the combination of Anzai et al. and Hung (or by the combination of Anzai et al., Rouser, and Hung), Applicant respectfully submits that claims 12 and 25 are not rendered *prima facie* obvious by Anzai et al. in view of Hung or Anzai et al. in view of Rouser and Hung.

CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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